

MARK E. COHEN, ESQ.

COUNSEL TO WELLS FARGO BANK N.A., AS TRUSTEE, FOR CARRINGTON MORTGAGE LOAN TRUST, SERIES 2006-NC3 ASSET-BACKED PASS-THROUGH CERTIFICATES

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Donovan Wright,
Debtor.

Chapter 7

Case No. 1-19-42032-cec

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AFFIDAVIT IN SUPPORT OF MOTION SEEKING AN ORDER
PURSUANT TO 11 U.S.C. §362(d) AND RULE 4001 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE GRANTING RELIEF FROM THE AUTOMATIC STAY

I, Justin Chetman, being duly sworn, state:

1. As to the following facts, I know them to be true of my own personal knowledge, and if called upon to testify in this action, I could and would testify competently thereto.

2. I am the employee of Carrington Mortgage Services, LLC, servicing agent on behalf of Wells Fargo Bank N.A., as Trustee, for Carrington Mortgage Loan Trust, Series 2006-NC3 Asset-Backed Pass-Through Certificates, who is most familiar with the subject senior mortgage loan in favor of Secured Creditor herein, and the ongoing bankruptcy litigation herein.

3. The subject real property securing said senior mortgage loan is generally described as 194-41 116th Avenue, Saint Albans, New York 11412.

4. This Secured Creditor is the payee of the mortgage note dated March 27, 2006 in the principal amount of \$396,000.00 which is secured by the above-referenced mortgage.

5. A Judgment of Foreclosure and Sale in favor of Movant was filed and

recorded in the office of the County Clerk, Queens County on June 28, 2018.

6. On or about April 4, 2019, Debtor commenced the instant Chapter 7 Bankruptcy proceeding in this Court.

7. This is Debtor's 2nd Chapter 7 bankruptcy filing. Donovan Wright filed a prior Chapter 7 Bankruptcy petition on September 13, 2018 as Case No. 18-45249. Movant filed a Motion for Relief from the Automatic Stay in the prior bankruptcy. However, the bankruptcy was dismissed for Section 521 deficiencies on October 29, 2018, before the hearing on the Motion for Relief was scheduled to be heard. Approximately seven (7) months later, on April 4, 2019 the instant Chapter 7 bankruptcy was filed.

8. As of April 15, 2019, the outstanding Obligations are:

Unpaid Principal Balance	\$453,044.12
Unpaid, Accrued Interest	\$285,312.22
Escrow Advance	\$87,272.00
Fees Currently Assessed	\$14,332.66
<u>Less: Partial Payments</u>	<u>(\$2,303.00)</u>
Minimum Outstanding Obligations	\$837,658.00

9. In addition to the other amounts due to Secured Creditor reflected herein, as of the date hereof, in connection with seeking the relief requested in the Motion, Secured Creditor has also incurred \$931.00 in legal fees and costs. Secured Creditor reserves all rights to seek an award or allowance of such fees and costs in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

10. The following chart sets forth the number and amount of payments due pursuant to the terms of the Note that have been missed by the Debtor:

Number of Missed Payments	From	To	Missed Principal and Interest	Missed Escrow (if applicable)	Monthly Payment Amount	Total Amounts Missed
12	12/1/2008	11/1/2009	\$2,535.29	\$227.89	\$2,763.18	\$33,158.16
35	12/1/2009	10/1/2012	\$2,535.29	\$322.41	\$2,857.70	\$100,019.50
6	11/1/2012	4/1/2013	\$2,535.29	\$1,152.20	\$3,687.49	\$22,124.94
12	5/1/2013	4/1/2014	\$2,535.29	\$709.37	\$3,244.66	\$38,935.92
10	5/1/2014	2/1/2015	\$2,535.29	\$1,672.87	\$4,208.16	\$42,081.60
50	3/1/2015	4/1/2019				\$149,906.24
Automated Valuation Model Fee						\$99.00
Broker's Price Opinion Fee						\$878.00
FCL Attorney fees						\$907.50
FCL Title fees						\$75.00
NSF fee						\$20.00
Property Inspections						\$1,488.00
Speed Pay						\$5.00
Late Charge						\$0.20
Total:						\$400,559.22

11. The commercially reasonable value of the Property is approximately \$520,000.00.

12. This Secured Creditor has elected to initiate foreclosure proceedings on the subject real property under its mortgage.

13. This Secured Creditor is precluded from proceeding to publish the necessary notices and to commence said foreclosure proceedings during the pendency of this Bankruptcy.

Pursuant to 28 U.S. C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: April 24, 2019

 Name: Justin Chatman
 Title: Bankruptcy Specialist II
 PR# C.241-7609A.NF

SUBSCRIBED AND SWORN TO before me this 24 day of April 2019.

 Notary Public

